

FILED  
U.S. BANKRUPTCY CT.  
NEW ALBANY DIVISION

2016 MAY 27 PM 12:34

SOUTHERN DISTRICT  
OF INDIANA  
KEVIN J. CLARK  
PLAINTIFF(S)  
CLERKUNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKYCASE NUMBER: 10-93904-BHL-11Veteran Denver CAPPS

v.

Eastern livestock Company

DEFENDANT(S)

MOTION FOR Decision, And Relief Sought  
[state what you want the Court to do]I, Denver CAPPS, the ☒ plaintiff / ☐ defendant [check the appropriate box] in theabove-named proceeding, respectfully move this Court to issue an order Granting ReliefSought For 913.<sup>24</sup> With 10% Interest 10-12-10  
[state what you want the Court to do]

The reason(s) that I am entitled to the relief I seek is the following:

Motion, "Plaintiff" Motion For Relief  
Sought For Worthless Check 913.<sup>24</sup>  
With 10% Interest Date: 10-12-10Submission To The Court



(You may use additional 8 1/2 x 11 paper if needed)

I, the undersigned, declare under penalty of perjury that the information contained in this document is true and correct.

This 25 day of MAY, 2016

Signed: Denver Capps  
[your signature]

Print your name: DENVER CAPPS

Address: 330 Frogue Road  
Burkesville, Kentucky  
42717-8891

[For use if you are a prisoner:]

I hereby certify that a copy of this complaint was delivered to the prisoner mail system for mailing on

Signed: \_\_\_\_\_  
[your signature]

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above Motion For was served upon  
[name of document]

Faegre  
BAKER DANIELS by U.S. MAIL at 600 E. 96th Street  
[name of opposing party or counsel] [mail or hand-delivery] [address]

Suite 600 Indianapolis, on MAY 25, 2016  
Indiana 46240-3789 [date]


Signed: Denver Capps  
[your signature]

\*083902581\*  
12/07/2010  
398901008000092

This is a LEGAL COPY of your  
check. You can use it the same  
way you would use the original  
check.

Return Reason (S)  
Refer to Maker

0102/07/2010  
398901008000092

		135 WEST MARKET NEW ALBANY IN 47160 812-345-0000	
Return Reason (S) Refer to Maker			
NINE HUNDRED THIRTEEN & 24/100 DOLLARS			
PAY TO THE ORDER OF	15706 9713 DENVER CAPPS P O BOX 975 BURKESVILLE KY 42717		
		DATE	AMOUNT
		10/12/10	\$*****913.24
		EASTERN LIVESTOCK CO., LLC VOID IF NOT CASHED IN 90 DAYS	
		By <i>Giant Libon</i>	
#015706# 0042100272# 7480493837#			

#015706# 0042100272# 7480493837#

#0000091321

The undersigned seller, in consideration of the payment hereon, hereby warrants and covenants that the cattle are free and clear of all liens, mortgages, and other encumbrances, and that the cattle are free and clear of any encumbrance or lien whatsoever except those for which consent to said sale and release of said lien is endorsed on this check.

Secured Party of the livestock, if any, hereby consents to the sale hereof and releases said livestock from any security interest or claim whatsoever.

By endorsing said instrument undersigned certifies that to the best of his/her knowledge while under this instrument, the cattle are not infected with any contagious disease and are not subject to any quarantines or restrictions within the meaning of the Federal Food, Drug and Cosmetic Act, i.e. none of the cattle or other ruminants have been fed any material that contains protein derived from animal sources, as defined in the Code of Federal Regulations, specifically 21 CFR 318.2002.

*Wendy Carson*  
Wendy Carson  
Owner

Secured Party's Signature

12-2-10  
463396

083902581 12/07/2010  
39890108000092

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## Claims Against Seized Funds

Claim No.	Creditor	Address	City	State	Zip	Original Proof of Claim Amount	Bond Payment on Claim	Other Payments and Reductions	Claim Amendments and Settlements	Final Victim Claim	Comments
249	CAMBRIDGE TRANSPORTATION	35382 Treasury Center	Chicago	IL	60694-5300	\$4.00		\$0.00		\$4.00	
187	CAPPS, VETERAN DENVER	330 Froque Rd. c/o Nolan M. Johnson Bass, Berry & Birn PLC 100 Penbody Plaza, Suite 1000	Bucksville	KY	42717	\$813.24		\$0.00		\$913.24	
378	CATILCO LLC	6711 Green Meadow Ln.	Memphis	TN	38103	\$65,438.12		\$0.00		\$65,438.12	
381	CERNOCH JR, LOUIS	PO Box 126	Tenrell	TX	75160	\$308,174.59	\$13,252.00	\$0.00		\$294,921.60	
85	CHIP MILLER TRUCKING INC	PO Box 126	St. George	KY	60505	\$3,870.75		\$0.00		\$3,870.75	
7	CHRISTIE FAMILY ENTERPRISES INC	5161 Eagle Feather Rd	Della	CO	81416	\$16,720.20		\$0.00		\$16,720.20	
134	CLEVENGER, PHIL	10653 Hwy 127	Sweet Springs	MO	65351-2115	\$10,369.11		\$0.00		\$10,369.11	
132	COFFEY, JEREMY ADAM	6205 Greenburg Rd	Columbia	KY	42728	\$31,271.89		\$605.47		\$30,665.42	
208	COFFEYVILLE LIVESTOCK MARKET LLC	PO Box 1074	Coffeyville	KS	67337	\$19,889.50	\$868.39	\$0.00		\$19,021.11	
481	COLLEY, CHAMP	2002 Low 2120	Sacredale	MO	64062	\$2,688.60		\$0.00		\$2,688.60	
195	COOK, TRUCKING INC	c/o Brian K. Cook 820765 S 3570 Rd	Stoud	OK	74078	\$70,561.72		\$0.00		\$70,561.72	
81	COOPER, KEETON	1387 Upper Main Road	Livinston	TN	38570	\$2,618.36	\$114.39	\$0.00		\$2,504.07	
305	CORCORAN TRUCKING INC	221 Lombard Lane	Billings	MT	59101	\$28,145.26		\$0.00		\$28,145.26	
197	CPC LIVESTOCK	2882 East Glenway Circle	Indianapolis	IN	46204	\$331,045.07	\$27,258.54	\$0.00	\$402,200.44	\$461,678.87	
215	CRISWELL INC	443 N College Street	Trenton	TN	38382	\$27,560.90		\$0.00		\$27,560.90	
481	CROWLEY, CLINTON	18815 Crooked Oaks Rd	St. George	SD	57778	\$2,156.27		\$0.00		\$2,156.27	
467	CROWLEY BROS	4925 Filberg Church Rd	Wichita Falls	TX	76305	\$106,091.01	\$4,658.21	\$0.00		\$102,032.80	
229	CULIMAN STOCKYARD INC	75 County Rd. 1310	Cullman	AL	35058	\$42,708.02	\$1,864.08	\$0.00		\$40,843.96	
68	DALE STULL TRUCKING	Box 41	Nixa Vista	NM	86430-0041	\$20,203.75		\$0.00		\$20,203.75	
154	DALE STULL TRUCKING	Box 41	Nixa Vista	NM	86430-0041	\$1,700.00		\$0.00		\$1,700.00	
361	DARNELL, CLINTON ALON	480 Blewett Highway Rd	Plenty Creek	NC	27063	\$154,536.60	\$0,747.10	\$0.00	\$105,601.54	\$105,691.54	
350	DENWAL I & SONS CATTLE CO LLC	10004 Reno W	Elberta	OK	73036	\$51,413.40	\$2,244.75	\$0.00		\$49,168.65	
467	DICKSON LIVESTOCK CENTER, INC.	PO Box 591	Dickson	TN	37056	\$7,832.81	\$341.98	\$0.00		\$7,490.82	
251	DOTIEN LIVESTOCK CO	9711 Hwy 231 South PO Box 70	Dorham	AL	36301	\$28,683.36	\$1,252.34	\$0.00		\$27,431.02	
186	EARL VETERINARY SUPPLY INC	204 Hwy 5 South	Payette	MO	65248	\$1,023.04		\$0.00		\$1,023.04	
481	EAST MISSISSIPPI FARMERS LIVESTOCK MARKET	12190 Pecan Ave. c/o Jennifer Hamilton, Treasurer	Philadelphia	MS	39350	\$16,383.48	\$715.31	\$0.00		\$15,668.17	
374	EAST TENNESSEE LIVESTOCK CENTER INC	PO Box 326	Sweetwater	TN	37874	\$415,830.45		\$0.00	\$305,301.07	\$305,301.07	
433	EICKE RANCH II	11886 CR 1202	Snyder	TX	79549	\$48,732.74	\$2,378.38	\$0.00		\$46,403.38	
481	EISCHEID TRUCKING, LLC	32380 454th	Molloy	MA	56468	\$5,978.80		\$0.00		\$5,978.80	
227	ELLIS, RANDALL	5358 Mt. Heiked Road	Lancaster	KY	40444-8223	\$7,081.00		\$0.00		\$7,081.00	
510	EVERETT, BOB	PO Box 1187	Woodward	OK	73082	\$24,043.00		\$0.00		\$24,043.00	
269	F & M FARMS LLC	PO Box 14	Bullard	TX	75757-0014	\$10,969.50		\$0.00		\$10,969.50	
264	FARMER, BOBBY	PO Box 77	Wattensville	NC	28083-0057	\$4,221.00		\$0.00		\$4,221.00	
481	FARMER, JOE DIBIA B&F CATTLE	300 W Linn St.	Richland	TX	76681	\$6,750.00		\$0.00		\$6,750.00	
110	FARMERS LIVESTOCK MARKETING	PO Box 87	Carthage	MS	39051	\$24,191.92	\$1,068.24	\$0.00		\$23,123.68	By agreement recovery capped at \$700,000
481	First Bank (Claim Against Gilman Estate)	c/o Ayres Carr & Sullivan, P.C. 251 East Ohio Street, Suite 500	Indianapolis	IN	46204-2184	\$4,884,060.80				\$4,884,060.80	
138	FISCHER BROS. TRUCKING, LLC	28549 431st Ave.	Esterville	SD	57040	\$1,068.00		\$0.00		\$1,068.00	
455	FIVE STAR LIVESTOCK LLC	10318 Highway 67	Charlestown	IN	47111-8837	\$1,735.44		\$0.00		\$1,735.44	
318	FLOOD, BRAD	810 W Main St.	Cincinnati	KY	40111	\$4,950.00	\$200.80	\$0.00		\$4,749.20	
62	FNU LLC	PO Box 566	Wichita	NE	68791	\$15,256.83		\$0.00		\$15,256.83	
540	FORT PAYNE STOCK YARD INC	PO Box 001128	Fort Payne	AL	35968	\$20,000.00		\$0.00		\$20,000.00	
477 & 531	FOUSEK FARMS & TRUCKING LLC	28381 US Hwy 281	Amour	SD	57313	\$11,564.81		\$0.00		\$11,564.81	